

**In the Court of Sessions Judge, East Champaran at Motihari.**

Present:-

Abhishek K. Das  
Sessions Judge,  
East Champaran at Motihari

**Anticipatory Bail Petition No. 1073 of 2026**

1. **Jamirullah Khan @ Sofi Sahab, aged about 54 years, S/o- Lat Usman Khan.**
  2. **Samos Khan @ Samim Khan, aged about 35 years, S/o- Sulman Khan.**
  3. **Rustom Khan, aged about 61 years, S/o- Late Usman Khan.**
  4. **Sajra Khatoon, aged about 33 years, W/o- Samos Khan.**
  5. **Alisum Nesa, aged about 58 years, W/o- Rustom Khan.**
  6. **Nuraisa Khatoon, aged about 43 years, W/o- Mustafa Khan.**
- All R/o Village- Birta Tola, Noonfarwa, P.S. Patahi, District- East Champaran.

-----Petitioners.

**Versus**

**The State of Bihar**

----- Opposite party.

<b>Counsel for the Petitioners</b>	<b>:- Sri Binod Kumar Singh, Advocate.</b>
<b>Counsel for the State</b>	<b>:- Sri Khublal Prasad, Public Prosecutor.</b>
<b>Counsel for the Informant</b>	<b>:- Sri Rajesh Kumar Singh, Advocate.</b>

**25.03.2026**

This anticipatory bail petition is filed on behalf of petitioners, namely, (1) Jamirullah Khan @ Sofi Sahab, (2) Samos Khan @ Samim Khan, (3) Rustom Khan, (4) Sajra Khatoon, (5) Alisum Nesa and (6) Nuraisa Khatoon, who are apprehending their arrest in connection with Patahi P.S. Case No. 241/2023 u/ss 341, 323, 324, 354(B), 308, 448/34 of Indian Penal Code.

**In para-2 of the anticipatory bail petition, it is mentioned that no other anticipatory or regular bail petition has ever been filed on behalf of the petitioners either in this court or before the Hon'ble Patna High Court. In para-3 of the anticipatory bail petition, it is mentioned that the petitioners have no criminal antecedent.**

As per F.I.R., Jamirullah Khan (petitioner) entered the house of informant Gulshan Khatoon and tone her blouse with bad intention and also dashed her. Meanwhile, Najirullah Khan armed with sword assaulted the informant's husband on his back. Samos Khan (petitioner) assaulted him with *farsa*, resulting in head injury and Rustam Khan assaulted him with iron rod. Sajara Khatoon, Alisun Nesa, Nuraisa Khatoon (petitioners), Sehra Khatoon, Sahil Khan assaulted the informant, her mother-in-law Ajmeri Khatoon and husband Aslam.

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**Continued**

The learned counsel for the petitioners has submitted that the petitioners are innocent and they have committed no offence. The allegation made in the F.I.R. is general and omnibus and no specific overt act has been attributed against the petitioners. In this case cognizance has already been taken. It is further submitted that the injuries are simple in nature and the case has already been compromised between the parties.

The learned Public Prosecutor appearing on behalf of State and learned counsel appearing on behalf of informant have opposed the prayer for anticipatory bail.

Heard both sides and perused the record. As per F.I.R. the specific allegation is that the petitioner Jamirullah Khan entered the house of informant and tore her blouse with bad intention and also dashed her, the petitioner Samos Khan assaulted the informant's husband with *farsa*, resulting in head injury and the petitioner Rustam Khan assaulted him with iron rod. There is no specific allegation against the rest petitioners to assault anyone individuals. As per para-44 and 45 of the case diary, containing injury reports, Aslam Mansuri sustained lacerated wound on parietal bone of 7cm x 1cm x 1cm, incised cut on back of 12cm x 1/2cm x 1/2cm and whole body pain and Gulshan Khatoon received lacerated wound on left middle finger, swelling of left middle finger and whole body pain. As per para-2, 7, 8, 9, 54 and 55 of the case diary, the informant in her restatement and the witnesses including the injured witnesses have corroborated the version of F.I.R. From perusal of record, it also transpires that cognizance has already been taken against the petitioners by the learned Court below vide order dated 16.01.2026. As per para-3 of the anticipatory bail petition the petitioners have no criminal antecedent. Nothing has been mentioned regarding criminal antecedent of the petitioner in the case diary.

In the facts of the case and keeping in view the specific allegation of assault against the petitioners (1) Jamirullah Khan @ Sofi Sahab, (2) Samos Khan @ Samim Khan and (3) Rustom Khan and considering the injury reports, I am not inclined to give privilege of pre-arrest bail to them. Accordingly the prayer for anticipatory bail of the petitioners, namely, **(1) Jamirullah Khan @ Sofi Sahab, (2) Samos Khan @ Samim Khan and (3) Rustom Khan stands rejected.**

So far as other petitioners, namely, (4) Sajra Khatoon, (5) Alisum Nesa and (6) Nuraisa Khatoon are concerned, there is no any specific allegation of assault against them. These petitioners are ladies.

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**Continued**

In the facts of the case and keeping in view the nature of allegation against the petitioners (4) Sajra Khatoon, (5) Alisum Nesa and (6) Nuraisa Khatoon, I am inclined to give privilege of pre-arrest bail to them. Accordingly, in the event of their arrest or surrender before the learned court below, within four weeks from the date of receipt of copy of this order, the petitioners **(4) Sajra Khatoon, (5) Alisum Nesa and (6) Nuraisa Khatoon** are ordered to be released on anticipatory bail, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Ld. Court below in the aforesaid case subject to condition as laid-down u/s 438(2) of Cr.P.C.

**(Dictated)**

**Sd/-**

**Sessions Judge  
East Champaran at Motihari  
25.03.2026**